



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,389	01/05/2004	Tukaram K. Hatwar	87415RLO	2643

7590 06/28/2005

Pamela R. Crocker
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER

CHAN, SING P

ART UNIT	PAPER NUMBER
----------	--------------

1734

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/751,389	Applicant(s) HATWAR, TUKARAM K.	
	Examiner Sing P. Chan	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/05/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1, 2, and 4, drawn to a method of making an OLED, classified in class 156, subclass 230.
 - II. Claim 3, drawn to a donor element, classified in class 428, subclass 690.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions II and I are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product as claimed can be used in a materially different process of using that product such as for transferring colorant material onto panel for forming instrument panels.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, the search required for Group I is not required for Group II, and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Raymond L. Owens on June 20, 2005 a provisional election was made with traverse to prosecute the invention of group I, claims 1, 2, and 4. Affirmation of this election must be made by applicant in replying to this

Art Unit: 1734

Office action. Claim 3 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 1 recites the limitation "the second surface" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk (U.S. 6,194,119) in view of Gaudiana et al (U.S. 6,624,839).

Regarding claim 1, Wolk discloses a method of forming OLEDs. The method includes providing an anode on a substrate, a hole transport layer on the anode, a white

Art Unit: 1734

light emitting polymer emitter on the hole transport layer (Col 18, lines 21-23), and a cathode on the emitter layer. (Col 16, line 66 to Col 17, line 4) The anode and cathode are formed of metal, alloys, metallic compounds, and metal oxides (Col 15, lines 48-54), which are deposited by vapor deposition (Col 10, lines 56-60). The light emitting layer and hole transporting layer are applied by transferring the material from a transfer donor element by coating the donor element with the material (Col 5, lines 47-50) and the element is brought into intimate contact with receptor or substrate, a radiation source is used to heat the layer in an imagewise fashion to perform the imagewise transfer of the layer. (Col 7, lines 18-27) To form full color device, color filters are deposited prior to depositing light emitter. (Col 18, lines 18-23) Wolk is silent as to forming the color filter on the other side of the substrate. However, forming the color filter on either side of the OLED device is well known and conventional as shown for example by Gaudiana et al. Gaudiana et al discloses a method of forming light emitting diode (OLED) with color filter. The color filter arrays are either deposited onto the light-receiving surface of the substrate or are deposited onto the opposite light-emitting surface of the substrate (Col 7, lines 25-31), which are all equivalents.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the color filter arrays on either side of the substrate as disclosed by Gaudiana et al as modified by Wolk to provide a color filter arrays on the either side substrate, which are all equivalents.

Regarding claim 2, Wolk discloses the material on the transfer donor element can be patterned via selective thermal transfer from the donor to a receptor (Col 5, lines 48-64), which forms any pattern such as patches of transferable material.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolk (U.S. 6,194,119) in view of Kunimoto et al (U.S. 6,258,954).

Wolk discloses a method of forming a donor element. The method includes providing a donor substrate such as polymer films, which are flexible (Col 7, lines 62-64), applying the coating material by solvent coating and drying (Col 5, lines 65-67), wherein the transfer material is transferred by radiation heating such as laser (Col 6, lines 60-66) and the material include a white light emitter (Col 18, lines 21-22). Wolk is silent as to inspecting the coated donor element prior to transfer. However, inspecting the coating after forming the coating is well known and conventional as shown for example by Kunimoto et al. Kunimoto et al discloses a method of coating a substrate with fluorescence coating. The method includes applying a fluorescence coating material to a substrate by spraying, dipping, spreading or electrodeposition, drying or curing the resin of the coating, and inspecting fluorescence coating material after the coating is cured to detect any defects. (Col 26, lines 49-67)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to inspect the coating material on the coated substrate as disclosed by Kunimoto et al in the method of Wolk to easily detect any defects or void to allow easy quality assurance. (See Kunimoto et al, Col 26, lines 62-67 and Col 27, lines 41-43)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P. Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A. Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan Sing P.

spc

ca-fiorilla

CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER
Art 1734